



- Litigation & Arbitration
- Shipping & Maritime
- Commodities & Int. Trade
- Road, Rail & Air Transport
- Insurance & Reinsurance
- Banking & Finance
- Civil Fraud
- Employment
- Company & Insolvency
- Competition

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Sandra Healy

Call: 2007

BA (Hons) - University of Cambridge, Downing College

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Sandra has a wide ranging commercial practice with particular focus on the following areas:

- Shipping and international trade
- Insurance and reinsurance
- Construction and energy
- Commercial dispute resolution
- Professional negligence

Shipping and International Trade

Sandra has been instructed to advise, draft and attend hearings in relation to a wide variety of shipping and international trade matters including charterparty, bill of lading, shipbuilding, ship repair, ship sale and purchase disputes. She is also regularly instructed to act for haulage companies and freight forwarders in context of carriage of goods by road and rail.

Having spent time on secondment at an international group P&I Club Sandra has a sound understanding of the commercial background underpinning shipping disputes.

Recent shipping and international trade work includes:

- Advising and drafting submissions for a variety of charterparty disputes including those involving issues as to laytime and demurrage, withdrawals for non-payment of hire, safe port and safe berth obligations, liens over sub-freights, speed and performance warranties, stevedore damage and cleaning and maintenance obligations.
- Advising and drafting submissions for a variety of bill of lading disputes including those involving issues regarding the incorporation of charterparty terms, conclusive evidence clauses, bailment, limitation, the incorporation of Hague, Hague-Visby and Hamburg Rules as well as the application of the exceptions contained within the various sets of Rules.
- Obtaining injunctive relief from the Commercial Court (under both the Senior Courts Act 1981 and the Arbitration Act 1996). Sandra recently obtained an order allowing a party to proceedings to weigh containers in the possession of a non-party to the proceedings.
- Acting with Charles Debattista in relation to Commercial Court proceedings concerning payment under a stand-by letter of credit and the operation of the fraud exception.
- Acting for sellers in relation to a ship sale and purchase dispute worth over US\$8 million.
- Acting with Mark Jones for buyers in ongoing arbitration proceedings concerning a shipbuilding dispute worth over US\$5 million.
- Acting for a haulage company in ongoing multi-party proceedings involving issues regarding the incorporation of standard contractual terms, applicable time bar, wilful misconduct and limitation.
- *Rimpacific Navigation Inc v Daehan Shipbuilding Co Ltd* [2009] EWHC 2941 (Comm); [2011] EWHC 2618 (Comm): acting with Vasanti Selvaratnam QC in a case concerning linked jurisdiction and anti-suit injunction applications before the Commercial Court in context of an action to enforce charterparty guarantees worth over US\$25million.



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- Challenging jurisdiction in both a Brussels Regulation and common law context and regularly advising in relation to service out of the jurisdiction. Sandra recently obtained an order permitting service in Bulgaria and St. Vincent and the Grenadines by an alternative method.

Sandra also has experience of admiralty practice and procedure. Recent work includes:

- Advising on jurisdiction and limitation issues arising out of a collision between a vessel and an oil rig in the UAE, with potential damages in excess of US\$5million.
- Acting with Timothy Hill QC in relation to the arrest of a vessel in the Falklands in order to secure claims made under loan, mortgage and guarantee agreements worth over US\$25million.
- Drafting a collision statement of case in proceedings arising from a collision in Uruguayan waters.

Insurance and Reinsurance

Sandra has experience relating to both marine and non-marine policies and having spent time working in-house at a leading professional indemnity insurer and at an international group P&I Club she has a good understanding of the commercial background to insurance disputes. Recent work includes:

- Advising liability insurers on novel coverage and double insurance issues arising in relation to piracy.
- Acting with leading counsel for an insurer in Commercial Court proceedings concerning a policy of insurance covering a fleet of containers. Issues included policy coverage, misrepresentation and non-disclosure.
- Advising an assured in relation to subsidence coverage under a buildings policy.
- Acting for an assured in Commercial Court proceedings following damage to a vessel at sea. Issues regarding the measure of indemnity and the seaworthiness of the vessel.

Construction and Energy

Sandra has been involved in a wide variety of construction and energy disputes including:

- Acting for owners of a jack up drilling rig in ongoing proceedings in the High Court arising out of contact between the rig and a vessel. Issues relating to quantum and mitigation of loss.
- ICC arbitrations concerning multinational gas and oil pipeline projects.
- A DIAC arbitration concerning a major construction project in Dubai.
- Adjudication proceedings and adjudication enforcement proceedings in the Technology and Construction Court.
- Advising and drafting in relation to subsidence claims.

Commercial Dispute Resolution

Sandra appears in court on a regular basis both conducting trials and handling interlocutory matters in a wide variety of general commercial disputes. Sandra is also regularly instructed to advise and draft at all stages of litigation, arbitration, mediation and other methods of dispute resolution. Recent work includes:

- Advising a non-governmental organisation in relation to the interpretation of a mining development agreement and as to international arbitration procedure.
- Acting for a property developer in ongoing High Court proceedings concerning the enforcement of a performance bond.
- Acting for a video games manufacturer in a jurisdiction challenge involving an issue as to the exclusivity of a jurisdiction agreement contained in a manufacture and distribution agreement.
- Acting for a marquee company in relation to a dispute with a music festival arising as a result of damage to marquees supplied for use at the festival.
- Acting with Steven Gee QC in an appeal against an order for committal arising out of a dispute between an individual and a large multinational company. Following the exchange of skeleton arguments the appeal was compromised, resulting in the committal order against Sandra's client being discharged by consent.
- Sandra recently appeared as sole Counsel before the Commercial Court in relation to a dispute arising out of the fraudulent trading of vintage cars, she successfully obtaining a freezing injunction over assets worth US\$12 million.



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Professional Negligence

Since spending time working in-house at a leading professional indemnity insurer, Sandra has been instructed in advisory and drafting roles in relation to professional negligence claims against a wide variety of professionals including solicitors and engineers.

Articles and Publications:

- Lloyd's List (Sept 2010): Time Charter Damages: *Sylvia Shipping Co Ltd v Progress Bulk Carriers Ltd*
- Lloyd's List (August 2010): *Tasman Pioneer* Clarifies Scope of Master Navigation/Management Exception
- Butterworths International Trade and Transport Law Newsletter (February 2010): A case comment on the decision in *Rimpacific Navigation Inc v Daehan Shipbuilding Co Ltd* [2009] EWHC 2941 (Comm).
- Department for Constitutional Affairs publication (2006): *Human rights: human lives - a handbook for public authorities and Making sense of human rights - a short introduction.*